

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CIV S-04-1867 WBS JFM

vs.

REAL PROPERTY LOCATED AT 2363
FAIRVIEW LANE, etc., ORDER

Defendants.

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Plaintiff's motion to exclude claimants Barbara and Richard Ryan's witnesses and documents not previously disclosed pursuant to Fed. R. Civ. P. 26 (a)(1) came on regularly for hearing July 7, 2005. Kristin S. Door appeared for plaintiff. There was no appearance by or on behalf of claimants Barbara and Richard Ryan. Neither claimant nor counsel for claimants filed an opposition to the motion. It appears claimants may have abandoned this litigation. Good cause appearing, claimants will be directed to advise the court whether they have abandoned this litigation. Claimants and their counsel are cautioned that failure to timely comply with this order will result in a recommendation that the district court not consider their November 5, 2004 claims.

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1 IT IS HEREBY ORDERED that:

2 1. Within ten days from the date of this order, claimants Barbara Ryan and
3 Richard Ryan shall advise this court, in writing, whether they have abandoned this action.

4 2. The Clerk of the Court shall serve a copy of this order on Barbara Ryan,
5 Richard Ryan and their attorney of record, Victor S. Haltom.

6 DATED: July 7, 2005.

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9 UNITED STATES MAGISTRATE JUDGE

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